

### Background

On May 23, 1995, Delaware Governor Thomas Carper signed HB57 into law. This bill, which later became Section 21 of Del. Laws § 4198L, provides that all persons under 16 years of age riding a bicycle shall be required to wear a helmet. It further specifies locations, helmet criteria, penalties, mitigation, and general information. Section 2(1) of 70 Del. Laws, c. 38, provides: “The State shall initiate a statewide bicycle helmet bank for those that cannot afford to purchase bicycle helmet...”

The provisions of the bicycle helmet law were to be effective April 1, 1996. The initial helmet bank program was the responsibility of the Department of Transportation. This responsibility has since been transferred to the Department of Safety and Homeland Security.

### Program Concepts and Applicability

The provisions of the law requiring the helmet and the helmet bank were designed to allow low income children to have access to the required safety equipment even though they could not afford to purchase a helmet. It was never intended that the helmet bank was to be a “give away program” to furnish bicycle helmets to all children of Delaware. Regardless of how desirable such an all-encompassing program might be from a safety standpoint, fiscal limitations simply would not allow this to happen.

It was additionally recognized that the participants who will take advantage of the program need to have a stake in the program. There is a generally accepted premise that program participants tend to take better care of things they buy than those things which they are given. Also, in some cases, families also need a nudge to re-order their priorities to make sure that bicycle helmets (at reduced cost) have a place in their future.

Furthermore, it was recognized that provisions were necessary to assure that the program received funding support in the later years from sources within and outside the State and Federal funding process. A voluntary donation by recipients would serve to offset at least some of the costs of the helmets, and the Office of Highway Safety, Community Traffic Safety Programs, Law Enforcement and others would be able to contribute time and other minimal necessary program resources.

It is for these reasons that it was decided to ask for the voluntary donation. In the event the program participants and their families cannot donate the full amount requested, a lesser amount is acceptable, and in some cases of need, lack of a donation would not be cause to eliminate an individual from the program.

Since the law enforcement community is generally the group that is most closely connected to the youth in their area, the law enforcement community was designated to be the primary initiating agency for beginning a helmet distribution to groups they will select. It is presumed that individual officers will identify neighborhoods, groups, or specific individuals who are in need of a bicycle helmet and do not have the resources to purchase one. In addition to the law enforcement officers, other groups can also identify individuals, groups, or designated youth to participate in the helmet bank program.

In an ideal world, family size, need, income level, and other objective determinants would be used to identify only those eligible for the helmet bank program. In reality, the factors used to qualify an individual are as much or more subjective than objective. Therefore, it will be an individual police officer, social worker, health care professional, or other responsible professional working with the disadvantaged, who will evaluate the need and recommend the use of program resources.

Once these professionals identify a group, neighborhood, or series of individuals, they need to subjectively determine if the selected group fulfills the requirement that they do not have the means to purchase helmets and that they are youths below 16 years old. In addition, the individual professional must be sure that the selected recipients understand that the helmets are not free, that they agree to wear and take care of the helmet if allowed to participate in the program, and that they agree to take part in a University of Delaware Cooperative Extension educational program as a condition of receiving a helmet.

#### General Program Procedures

1. The recipients are identified by the program initiator (police officer, social worker, health care or other professional) as being under 16 years old and can't afford to purchase a helmet.
2. Number of helmets needed and general sizes are determined.
3. Contact is made with the Community Traffic Safety Program (CTSP) Coordinator in the county to initiate the program.

New Castle County	Cindy Genau	302-831-4973
Kent & Sussex County	Mike Love	302-856-7303

4. CTSP Coordinator forwards necessary instructions, application form, recipient certificates, and donation envelopes.
5. Program initiator fills out application and coordinates a place and time with the CTSP Coordinator to conduct the educational component and do the distribution. The initiator will find the numbers and specific helmet sizes, pass to the recipients the need for the requested donation, distribute the recipient certificates to those who will get the helmets and give out the donation envelopes.
6. At the time of the educational program and distribution, the initiator and the CTSP Coordinator will collect the sealed donation envelopes, and conduct the helmet use training. The children will be required to completely fill out the recipient certificate and sign the pledge at the bottom.
7. After the program and distribution is complete, the CTSP Coordinator and the initiator will jointly open the donation envelopes, count the funds and both sign the required deposit slips and receipts.

8. The CTSP Coordinator will deposit the funds into the required State account and forward the receipted deposit slip to the Office of Highway Safety in accordance with the method they require.